

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

JOHN DOE, Pllc

Plaintiff(s),

v.

SEATREE PLLC, is organized under the laws of the State of Washington, as a Professional Limited Liability Company (Pllc) and Registered with the Washington Secretary of State,

JAMES NAMIKI, in his official and individual Capacities, is a Lawyer Licensed by the States of WA and Oregon.

Defendant(s).

CASE NO. _____
[to be filled in by Clerk's Office]

MOTION FOR LEAVE TO PROCEED
UNDER PSEUDONYMS AS
PROVIDED BY A PROPOSED
PROTECTIVE ORDER

INTRODUCTION

As explained herein, in the WA State court actions below, lawyer-Namiki-an-individual, as part of an enterprise including at least Seatree Pllc, and in particular using his superior intellect coupled with violations of both the attorney-client ethics rules and the criminal laws of Washington, has obtained a monetary judgment in the amount of \$402,817.68 **jointly-and-**

MOTION FOR LEAVE TO PROCEED UNDER PSEUDONYMS AS
PROVIDED BY A PROPOSED PROTECTIVE ORDER - 1

LAW OFFICES OF DALE COOK
3723 N 34TH ST
TACOMA, WA 98407
Direct: 425-605-7036

1 severally against John Doe Plc and Janet Roe, an Individual and lawyer, and single-member of
2 John Doe Plc.

3 Which, as explained below, is impossible under logic and under the law for a single-
4 person Plc, since a Plc can only act by-and-through its members, so with a single-member Plc
5 it is impossible in space and in time for that single-member Plc to be liable for the same acts as
6 its single member, but in their individual legal capacity, and vice-versa. Either the single-
7 member Plc acts (e.g., practices law) by-and-through its single-member lawyer OR the single
8 member acts in his/her individual-legal-capacity (with the individual-legal-capacity member a
9 separate legal entity from the Plc).

10 John Doe Plc is a legal entity/abstraction that practices law but only by-and-through its
11 members licensed in whatever jurisdiction the Plc purports to practice. Janet Roe, an Individual,
12 is a separate legal entity/person from John Doe Plc. Thus, if John Doe Plc -- a separate legal
13 entity from Janet Roe, an Individual -- is practicing law by-and-through its single-member Janet
14 Roe, then the separate legal entity Janet Roe cannot be practicing law at the same time. The
15 converse is also true.

16 As explained in the accompanying Complaint, the exception to this is if the law imposes
17 punitive measures against the Plc/its members based on evidence sufficient to "pierce the
18 corporate veil."

19 So both the single-member Plc and the member in his/her individual-legal-capacity
20 acting at the same time is impossible in logic (e.g., space and time) and in law. And further,
21 there is no evidence or allegations that John Doe Plc or Janet Roe, the sole-member of John Doe
22 Plc, an-individual, and a lawyer, has engaged in conduct sufficient to pierce the corporate veil.

Yet, in the WA State court an enterprise including at least Seatree Pllc/lawyer-Namiki-an-individual has been able to establish just that: that is, that John Doe Pllc and its single member Janet Roe, an Individual, are jointly and severally liable for the same actions, but with no evidence alleged or adduced which would warrant breaching space-and-time to punish John Doe Pllc/its member Janet Roe, an-individual, by piercing the corporate veil.

John Doe Pllc seeks to decrease the chances of that subterfuge being successful here by using pseudonyms.

A major way that lawyer-Namiki-an-individual has been able to pull off this fraud is that he has been able to refer to Janet Doe, an individual, by her actual legal name in his lawsuit alleging liability against John Doe Pllc -- which as has been explained is a legal abstraction which may only act by-and-through its single member and lawyer, Janet Roe, an individual -- but while simultaneously alleging individual-capacity liability of Janet Roe, an individual and for actions taken in her individual capacity, and not as member of John Doe Pllc.

The proposed protective order seeks to remedy this fraud, by using facially-different names for legally different entities: the protective order proposes (a) to use the pseudonym "Janet Roe, an individual," when referring to Janet Roe in her individual legal capacity, and (b) the pseudonym "Steve Smith" when referring to John Doe Pllc acting by-and-through its single-member Janet Roe, an individual.

BODY OF MOTION

Plaintiff Janet Roe, an Individual and a lawyer, is a member of John Doe Pllc, a single-member Pllc.

A WA State Pllc is a separate legal entity from its members and that does practice law, and does act as a separate legal entity, but it does so by-and-through its members -- lawyers

1 licensed in the States in which the Pllc is practicing. *See, e.g., Complaint* p. 15 discussing **RCW**
 2 **25.15.071(3)** ("... separate legal entity") and **RCW 25.15.048** (separate legal entity practices law
 3 by-and-through the individual-capacity legal services of its members licensed to practice and
 4 located within the Jurisdiction (e.g., the State of Oregon) in which the Pllc purports to practice).

5 So, since the **single-member** Pllc, **John Doe Pllc**, acts by-and-through its single member
 6 **Janet Roe**, an individual, when John Doe Pllc practices law it is physically impossible in space
 7 and in time for Janet Roe, an individual and a lawyer, to be liable -- in her individual capacity --
 8 for the same actions of the **single-member** Pllc, **John Doe Pllc**.

9 For **if John Doe Pllc** is acting, it is doing so by-and-through its **single-member, Janet**
 10 **Roe, an individual**. Conversely, if Janet Roe, an individual, is acting as an individual it is
 11 **physically impossible in space and in time**, for John Doe Pllc to act since it is only by-and-
 12 through its single member, Janet Roe, an individual, **that John Doe Pllc -- a legal abstraction**
 13 **under RCW 25.15.048 -- Professional limited liability company—Licensing, see, e.g.,**
 14 *Complaint* accompanying this Motion p. 15, -- **can so act**.

15 As has been mentioned elsewhere and before, lawyer Namiki-an-individual holds degrees
 16 in **both electrical engineering and chemical engineering** from the Univ. of WA, **as well as a JD**
 17 from the Univ. of WA. This is significant because lawyer-and-chemical-and-electrical engineer
 18 James J. Namiki is by all objective measures one the of the most-intelligent people in the United
 19 States, so the Court should not think he has done what he has done accidentally.

20 And he has used that superior intellect to run circles around the WA State elected
 21 judges/appointed non-judge commissioners to perpetrate a fraud which, as just shown, is
 22 impossible under law and logic. Impossible under law in that a member of a WA State Pllc is
 23 not liable for the acts of the Pllc absent evidence of misconduct sufficient to pierce the corporate
 24

1 veil, *see, e.g., Complaint* p. 9 discussing **RCW 25.15.061 Piercing the veil [of a WA State**
 2 **Pllc]**, and impossible under logic because a single-member Pllc, only capable of acting by-and-
 3 through its single-member, cannot act in the same space and at the same time that its single
 4 member, in their individual capacity is acting; and vice-versa (e.g., if the single-member Pllc is
 5 practicing law by-and-through its single-member lawyer, its single-member lawyer cannot act in
 6 the same space and at the same time as the single-member Pllc is practicing by-and-through
 7 them).

8 And as has been explained, *see, e.g., Complaint* pp. 28-31 , discussing civil RICO and
 9 predicate acts, lawyer-Namiki-an-individual has used that superior intellect to obtain a judgment
 10 against Janet Roe, an individual, allegedly for acts of John Doe Pllc of which Janet Roe is its
 11 single member, said alleged acts of Janet Roe, an individual, exactly the same as the alleged acts
 12 for which John Doe Pllc has been held liable.

13 That is, lawyer-Namiki-an-individual, as part of an enterprise including at least Seatree
 14 Pllc, and in particular using his superior intellect coupled with violations of both the attorney-
 15 client ethics rules and the criminal laws of Washington, has obtained a monetary judgment in the
 16 amount of \$402,817.68 jointly-and-severally against John Doe Pllc and Janet Roe, an Individual
 17 and lawyer, and single-member of John Doe Pllc.

18 Which, as has just been discussed, is impossible under logic and under the law, absent
 19 punitive measures imposed by the law for conduct of the Pllc/its members sufficient to pierce the
 20 corporate veil.

21 A major way that lawyer-Namiki-an-individual has been able to pull off this fraud is
 22 that he has been able to refer to Janet Roe, an individual, by her actual legal name in his
 23 lawsuit alleging liability against John Doe Pllc -- which as has been explained is a legal
 24

1 abstraction which may only act by-and-through its single member and lawyer, Janet Roe, an
2 individual -- but while simultaneously alleging individual-capacity liability of Janet Roe, an
3 individual and for actions taken in her individual capacity, and not as member of John Doe Plc.

4 The proposed protective order seeks to remedy this fraud, by using facially-different
5 names for legally different entities: the protective order proposes (a) to use the pseudonym
6 "Janet Roe, an individual," when referring to Janet Roe in her *individual legal capacity*, and
7 (b) the pseudonym "Steve Smith" when referring to John Doe Plc acting by-and-through its
8 single-member Janet Doe, an individual.

9 Dated 9 November 2017.

10 Respectfully Submitted,

11 By: /s Dale R. Cook
12 Dale R. Cook WSBA #31,634
13 Law Offices of Dale Cook
3723 N. 34th Street
14 Tacoma, WA 98407
Telephone: 425-605-7036
15 Fax: (253) 272-0386
E-mail: dalecook_lawoffices@nym.hush.com
Lawyer for John Doe Plc